



**PATTON BOGGS, L.L.P.**

**Mr. Danny L. McDonald**

**November 16, 1995**

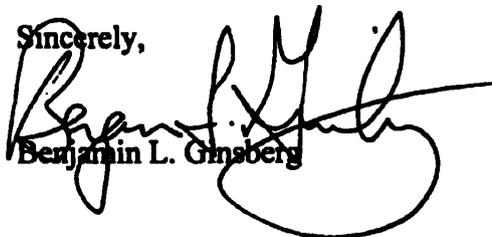
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In addition, the negotiation for the purchase of the books by Friends of Senator D'Amato will be conducted at arms length. However, the Friends of Senator D'Amato does wish to use any "bulk rate" purchase prices that may be available due to the number of books purchased. The "bulk rate" the committee would pay would be the standard fair market value price that publishers, under normal industry practice, make available to large purchasers subject to several conditions. These conditions include that the book not be resold through normal book distribution channels and that the author receives no royalties on those copies purchased by him under the bulk rate. See Advisory Opinion ("AO") 1992-24. The committee wishes to confirm that such a purchase of goods at a discount does not result in a contribution as long as the discounted price is available to others on equal terms. See AOs 1993-20, 1992-24, 1987-24.<sup>3</sup>

Friends of Senator D'Amato, after reviewing the Commission's prior rulings, believes the expenditures described in this letter are permissible under the Act and regulations. However, since the personal use regulations have been amended since AO 1993-20, Friends of Senator D'Amato seeks an advisory opinion confirming that its purchase of "Power, Pasta & Politics" is a valid campaign expense; would not represent an improper conversion of campaign funds for personal use; and is in conformance with the Act and regulations.

Furthermore, due to the Senator's desire to ensure compliance with all applicable laws and rules, the advice of the United States Senate Select Committee on Ethics will also be sought.

Sincerely,



Benjamin L. Ginsberg

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<sup>3</sup> An analogous situation would be the permissibility under the new personal use rules of a campaign renting space in a building owned by a candidate (not the candidate's home) as long as the campaign pays fair market value. See 60 Fed. Reg. 7865 (Feb. 9, 1995).